

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLES EDWARD JACKSON,

Defendant.

CR-12-20-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Amended Findings and Recommendations in this matter on December 19, 2019. (Doc. 89.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on August 15, 2019 and December 18, 2019. (Docs. 78 and 88.) The United States accused Jackson of violating his conditions of supervised release 1) by consuming alcohol; 2) by using amphetamine and methamphetamine; 3) by failing to report for substance abuse treatment; 4) by failing to participate in substance abuse testing; 5) by failing to report to his probation officer as directed; 6) by failing to notify his probation officer of a change of residence; 7) by possessing a methamphetamine pipe; and 8) by possessing a pellet gun. (Doc. 75.)

At the revocation hearing, Jackson admitted to 1) by consuming alcohol; 2) by using amphetamine and methamphetamine; 3) by failing to report for substance abuse treatment; 5) by failing to report to his probation officer as directed; 7) by possessing a methamphetamine pipe; and 8) by possessing a pellet gun. (Doc. 88.) The Court dismissed alleged violations 4 and 6. Judge Johnston found that Jackson's violations warrant revocation, and recommended that Jackson be incarcerated for 9 months, with credit for time served, with 27 months of supervised release to follow. (Doc. 89 at 4.)

The violation proves serious and warrant revocation of Jackson's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 89) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Charles Edward Jackson be incarcerated for a term of 9 months, with credit for time served, with 27 months of supervised release to follow.

DATED this 6th day of January, 2020.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly legible. It is positioned above a horizontal line.

Brian Morris
United States District Court Judge

